

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
Wheeling Division**

**PHILIP ALIG, SARA J. ALIG,
ROXANNE SHEA and DANIEL V. SHEA,
Individually and on behalf of a class of persons,**

Plaintiffs,

v.

**QUICKEN LOANS INC., and
TITLE SOURCE, INC.**

**Civil Action No. 5:12cv114 (lead)
Civil Action No. 5:12cv115
Honorable John Preston Bailey**

Defendants.

STIPULATION OF DISMISSAL OF CERTAIN CLAIMS WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a), Plaintiffs Philip and Sara Alig (“Plaintiffs”) and Defendants Quicken Loans Inc. and Title Source Inc. (n/k/a Amrock, Inc.) (“Defendants”), through their undersigned counsel, hereby stipulate to dismissal of Plaintiffs’ individual claims under Counts 2, 3, 5, 6, 8, 9, and 10 in the above-captioned action with prejudice, with the parties waiving their rights of appeal as to those dismissals and agreeing to bear their own costs as to those claims.

Plaintiffs and Defendants also hereby stipulate to the dismissal of Plaintiffs’ individual claims under Counts 1, 4, and 7 in this action with prejudice, with the parties waiving their rights of appeal as to those dismissals and agreeing to bear their own costs as to those claims, except that it is understood and agreed that such dismissal and waiver of rights of appeal shall not include the following: (a) Plaintiffs’ claims in Count 4 against Defendants for recovery of a statutory penalty for unconscionable inducement as it relates only to the 2007 mortgage loan at issue in this action; (b) Plaintiffs’ claims in Count 7 against Defendants for recovery of the \$180 appraisal fee for breach of contract as it relates only to the 2007 mortgage loan at issue in this action; and (c)

Plaintiffs' claims in Count 1 against Defendants for conspiracy, consistent with the remaining claims.

Plaintiffs and Defendants understand and agree that nothing in this Stipulation is intended (nor shall be construed) to (a) release the claims certified for class treatment by the Court by Order dated June 2, 2016 or claims for prejudgment interest, post-judgment interest, and/or attorneys' fees or costs, to the extent authorized by statute or other applicable law, arising out of or relating to such certified claims, all such claims, rights and interests being expressly reserved by Plaintiffs, (b) waive Plaintiffs' right or interest to act, purport to act, seek to act, or continue to seek to act as class representatives with respect to such certified claims, or (c) waive any of Defendants' appellate rights with respect to matters that are not the subject of this Stipulation, with such rights being expressly preserved.

Respectfully submitted,

/s/ Victor S. Woods

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**QUICKEN LOANS INC. and AMROCK INC.
(f/k/a TITLE SOURCE, INC.)**

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Dated: October 23, 2018

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Wheeling Division**

**PHILIP ALIG, SARA J. ALIG,
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**Civil Action No. 5:12cv114
The Honorable John Preston Bailey**

**QUICKEN LOANS INC., and
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Defendants.

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of October 2018, the foregoing **STIPULATION OF DISMISSAL OF CERTAIN CLAIMS WITH PREJUDICE** was served on counsel of record through the CM/ECF system, which will notify the following CM/ECF participants:

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